<u>**TABLE OF CONTENTS**</u>

SH 2418661

TABLE OF CONTENTS
ADDENDUM

SH 2418661

EXHIBITS

A **One (1) Compact Disc containing audio of 911 Telephone Call and Radio Traffic**
One (1) Compact Disc containing Security Video Footage from Liquor Market
One (1) Compact Disc containing audio recordings of OSS Detective interviews of witnesses
One (1) DVD containing video interview of Suspect Farias

B **One (1) Compact Disc containing photographs of scene taken by Crime Lab**

C **Printout of Call for Service, Incident #CPT16362-0162**

D **Copy of SH-R-49, File #016-16678-2822-031**

E **Copy of Five (5) Supplemental Reports**

F **Consolidated Criminal History Report (CCHRS) for Suspect Robert Farias**

G **Crime Scene Investigation Report with Scene Sketch by Forensic Identification Specialist Alexis Alusha**

H **Laboratory Examination Report by Senior Criminalist April Wong**

MISCELLANEOUS DOCUMENTS

Compton Station PM Shift In-Service dated December 27, 2016

Deputy Daily Worksheet for Compton Station Unit 282K1, PM Shift dated December 27, 2016

Ten signed Shooting/Force Investigation Admonition Forms

Video Admonition Form signed by Deputy Guillermo Anaya



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM MCDONNELL, SHERIFF

February 20, 2018

Date of Department Hire 05/14/2008

Deputy Guillermo Anaya, #[redacted]
[redacted]

Dear Deputy Anaya:

LETTER OF IMPOSITION

On October 23, 2017, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number IV2436252 You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that pursuant to a settlement agreement between you and this Department, dated February 7, 2018, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days. However, pursuant to the settlement agreement, two (2) of the three (3) days will be held in abeyance for a period of twelve (12) months, which will end on February 6, 2019. All Departmental records will reflect, nevertheless, that you received a three (3) day suspension. If you should become the Subject of a founded administrative investigation, involving similar violations, and the event occurred within the prescribed twelve (12) month time period of the settlement agreement, the two (2) days held in abeyance will be imposed. Additionally, you will be subject to further discipline for each and every founded violation of the Department's Manual of Policy and Procedures.

The effective date for the remaining one (1) day suspension is February 26, 2018.

An investigation under File Number IAB IV2436252, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10 Obedience to Laws, Regulations and Orders, as it pertains to 3-10/050.15 Performance to Standards - Performance Associated with the Use of Force; on or about December 27, 2016, while on-duty, you failed to perform to the standards established for your rank of Deputy Sheriff, and/or failed to perform your duties in a manner which established and maintained the highest standard of efficiency in carrying out the functions and objectives of the Department, when you took independent action and/or used strategies and/or tactics which failed to comply with Department policies, procedures, and training, as evidenced by, but not limited to:

   a. failing to communicate, via radio and/or MDC, to your partners you were about to contact and/or about to detain Suspect Robert Farias, whom you believed was armed; and/or,

   b. failing to coordinate with assigned assisting units in establishing and/or maintaining a containment for Suspect Farias; and/or;

   c. failing to coordinate with additional units in establishing a tactical plan prior to conducting a pedestrian stop of Suspect Farias; and/or,

   d. approaching by yourself and without any backup at the scene and/or closing the distance between you and Suspect Farias, a suspect you believed

was armed, after shooting one round from your service weapon and/or detaining Suspect Farias a gun point; and/or,

e. leaving your position of advantage by willingly walking away from the cover of your patrol vehicle and approaching Suspect Farias without cover and/or back up.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet, which are incorporated herein by reference.

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

If you have any questions, you may contact Virginia Gamboa, of Internal Affairs Bureau, at [redacted]

The Sheriff's Department reserves the right to amend and/or add to this letter.
Sincerely,

JIM McDONNELL, SHERIFF

Original Signed

Michael E. Thatcher, Captain
Compton Station

MET:VG:vg
(Professional Standards and Training Division – Internal Affairs Bureau)

IAB FILE NO. IV2436252

Attachments

c: Joseph M. Gooden, Chief, Central Patrol Division
Michael E. Thatcher, Captain, Compton Station/Unit Personnel File
Kimberly L. Unland, Captain, Personnel Administration Bureau
Doreen Garcia, Administrative Services Manager III, Pay, Leaves, and Records Units
Virginia Gamboa, Operations Assistant I, Internal Affairs Bureau
Vince Vasquez, Operations Assistant I, Advocacy Unit

EFRC DISPOSITION WORKSHEET

Re: IV 2436252
Subject: Guillermo Anaya #[redacted]
Investigator: Jonathan K. Hoyt, Internal Affairs Bureau
Advocate: Oscar A. Martinez, Advocate

DISPOSITION OF CHARGES

The following charges were prepared by the Advocacy Unit. Please indicate your disposition of the potential charges, and put any additional sustained charges (with reference to the investigation) on attached sheet(s).

Potential Charge(s):

The evidence in this investigation supports the following charges:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10 Obedience to Laws, Regulations and Orders, as it pertains to 3-10/050.15 Performance to Standards - Performance Associated with the Use of Force; Subject Anaya, on or about December 27, 2016, while on-duty, failed to perform to the standards established for his rank of Deputy Sheriff, and/or failed to perform his duties in a manner which established and maintained the highest standard of efficiency in carrying out the functions and objectives of the Department, when he took independent action and/or used strategies and/or tactics which failed to comply with Department policies, procedures, and training, as evidenced by, but not limited to:

    a. failing to communicate, via radio and/or MDC, to his partners he was about to contact and/or he was about to detain Suspect Farias, whom he believed was armed; and/or,

    b. failing to coordinate with assigned assisting units in establishing and/or maintaining a containment for Suspect Farias; and/or;

    c. failing to coordinate with additional units in establishing a tactical plan prior to conducting a pedestrian stop of Suspect Farias; and/or,

    d. approaching by himself and without any backup at the scene and/or closing the distance between him and Suspect Robert Farias, a suspect he believed was armed, after shooting one round from his service weapon and/or detaining Suspect Farias a gun point; and/or,

    e. leaving his position of advantage by willingly walking away from the cover of his patrol vehicle and approaching Suspect Farias without cover and/or back up.

Evidence Reference:

Defenses/Conflicting Evidence:

Disposition:

__X__ **Charge founded as delineated**
_____ **Charge founded as modified**
_____ **Charge unresolved**
_____ **Charge unfounded**

Discipline Assessment

Review of Applicable Guidelines for discipline Section:

The Department's Guidelines for Discipline (Revised January 1, 2016) lists the following Analogous misconduct with associated disciplinary penalties:

Conduct	**Standard Discipline**
Obedience to Laws, Regulations and Orders • MPP 3-10/050.15 Performance to Standards - Performance Associated with the Use of Force	W/R to Discharge

Determination of Discipline:

Based upon the attached assessment of mitigating and aggravating factors, the following discipline has been determined to be appropriate. This discipline is subject to revision upon receipt of the subject's response of grievance.

_____ **Discharge**
_____ **Reduction in Rank**
__X__ **Suspension with loss of pay and benefits for 3 days**
_____ **Written Reprimand**
_____ **No discipline**

Assessment of Mitigating and Aggravating Factors:

The following describe the mitigating and aggravating factors in the determining the discipline in this investigation. Those factors include:

Intent
Past Performance
Degree of Culpability
Disciplinary History
Truthfulness
Severity of Infraction
Acceptance of Responsibility
Other Factors

Management has considered the subject's performance, which is documented in the Subject's Department personnel file, and those documents not contained in that file which are attached to the disposition worksheet.

INTERNAL AFFAIRS BUREAU

INVESTIGATIVE SUMMARY ADDENDUM

SH 2418661

INCIDENT: **On-Duty Non Hit Shooting**

URN: **016-16678-2822-031**

DATE / TIME OF INCIDENT: **December 27, 2016, 1415 hours**

LOCATION: **543 West Compton Boulevard, Compton**

SYNOPSIS:

On May 22, 2017, the Executive Force Review Committee requested the video footage of the incident (**Exhibit A, Security Video Footage**) be sent to the Sheriff's Department Technical Crew for enhancement.

ADDENDUM SUMMARY:

On May 23, 2017, this IAB investigator contacted [redacted] #[redacted] from the Sheriff's Department Fraud and Cyber Crimes Bureau, Technical Crew, and supplied him a copy of the security video footage (**Exhibit A, Security Video Footage**).

On May 25, 2017, [redacted] supplied this IAB investigator with the enhanced videos (**Exhibit I**). [redacted] described the original video (**Exhibit A, Security Video Footage**) as "poor quality." [redacted] described the video as having been low resolution, poor pixilation (low pixels per square inch), and having a low frame rate of less than 30 frames per second.

[redacted] utilized various computer programs to enhance the security footage (**Exhibit A, Security Video Footage**) between the marked times of 02:18:31 and 02:20:15. [redacted] enhanced the video by adjusting the aspect ratio (**Exhibit I, Aspect Ratio**). [redacted] cropped the video and attempted to enhance it (**Exhibit I, Cropped**). Lastly, [redacted] enhanced the video from the 02:18:30 mark to the end of the video (**Exhibit I, 02.18.30 to End**).